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ERIC M. HOCKY
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August 12, 2005
VIA: electronic filing

Hon. Vernon A. Williams
Secretary
Surface Transportation Board
Mercury Building, #711
1925 K Street, N.W.
Washington, DC 20423-0001

Re: Pittsburg & Shawmut Railroad, LLC -
Abandonment Exemption
STB Docket No. AB-976 (X)
Comments to Environmental Assessment

Dear Secretary Williams:

Enclosed for filing is the Comments of Pittsburg & Shawmut Railroad, LLC to
Environmental Assessment.

Respectfully,


Eric M. Hocky
Attorneys for
Pittsburg & Shawmut Railroad, LLC

Before the
SURFACE TRANSPORTATION BOARD

Docket No. AB-976 (X)

**COMMENTS OF PITTSBURG & SHAWMUT RAILROAD, LLC
TO ENVIRONMENTAL ASSESSMENT**

On July 13, 2005, the Board's Section of Environmental Analysis ("SEA") served its Environmental Assessment ("EA"). Pittsburgh & Shawmut Railroad, LLC ("PSR LLC") hereby submits these comments to the EA.

Recommended Conditions. The EA recommends that three environmental conditions be imposed on any decision granting abandonment authority. PSR LLC responds to the proposed conditions as follows:

(1) PSR LLC has had correspondence with NGS, and has learned that the geodetic station marker is located at the base of one the bridges along the line. *See Exhibit A.* Structures will not be affected by the abandonment, and in particular as noted by NGS in the email also attached as Exhibit A, salvage of the line will not affect the marker. Therefore, there is no need for this condition.


(2) PSR LLC agrees to consult with Pennsylvania Department of Environmental Protection, Southwest Regional Office prior to salvage operations.

(3) Attached as Exhibit B is a letter from the Pennsylvania Historic and Museum Commission confirming that the Section 106 review is complete and that there are no National Register eligible or listed historic or archaeological properties in the area of the line to be abandoned. Therefore, there is no need for this condition.

Public Use / Trail Use. PSR, LLC has already agreed to enter into trail use negotiations. The trail use request that was filed makes it clear that salvage should not be prevented. PSR, LLC opposed the public use request. However, the proposed public use does not involve continued rail service, and accordingly any order should not prevent PSR, LLC from proceeding with salvage of the track and track materials.

Expedited Consideration. In its Petition for Exemption, PSR, LLC asked for expedited consideration so that it could proceed with salvage of the rail line. The discontinuance of the rail line by the operator Buffalo & Pittsburgh Railroad, Inc. (STB Docket No. AB-369 (No. 5X)) is already effective, and neither the conditions requested by SEA nor the public use and trail use requests seek to prevent salvage of the line from taking place. Accordingly, PSR, LLC renews its request for expedited consideration so that it can proceed with salvage of the line as soon as possible.

Respectfully submitted,


ERIC M. HOCKY
GOLLATZ, GRIFFIN & EWING, P.C.
Four Penn Center, Suite 200
1600 John F. Kennedy Blvd.
Philadelphia, PA 19103
(215) 563-9400
Attorneys for Pittsburg & Shawmut, LLC

Dated: August 12, 2005

EXHIBIT A

PAGE 1 OF 3



NATIONAL GEODETIC SURVEY
NOAA, NOS
N/NGS2, SSMC3, ROOM 8813
1315 EAST WEST HIGHWAY
SILVER SPRING, MD 20910

FACSIMILE TRANSMITTAL COVER LETTER

TO: NAME: KEVIN POWSER
FIRM: GWRR
TELEPHONE NUMBER: 814-938-1505
FAX NUMBER: 814-938-1500

FROM: NAME: FRANK C. MAIDA
FIRM: SPATIAL REFERENCE SYSTEM DIVISION, NGS
TELEPHONE NUMBER: 301-713-3194 x119
FAX NUMBER: 301-713-4324

MESSAGE:

The NGS Data Sheet

See file dsdata.txt for more information about the datasheet.

DATABASE = Sybase ,PROGRAM = datasheet, VERSION = 7.21

1 National Geodetic Survey, Retrieval Date = AUGUST 11, 2005

KX0886 *****

KX0886 DESIGNATION - 54.82

KX0886 PID - KX0886

KX0886 STATE/COUNTY- PA/ARMSTRONG

KX0886 USGS QUAD - TEMPLETON (1993)

KX0886

KX0886 *CURRENT SURVEY CONTROL

KX0886

KX0886*	NAD 83 (1986) -	40 56 00.	(N)	079 27 43.	(W)	SCALED
KX0886*	NAVD 88 -	249.336	(meters)	818.03	(feet)	ADJUSTED

KX0886

KX0886	GEOID HEIGHT-	-33.25	(meters)			GEOID03
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KX0886	DYNAMIC HT -	249.218	(meters)	817.64	(feet)	COMP
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KX0886	MODELED GRAV-	980,144.6	(mgal)			NAVD 88
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KX0886

KX0886 VERT ORDER - SECOND CLASS 0

KX0886

KX0886.The horizontal coordinates were scaled from a topographic map and have
KX0886.an estimated accuracy of +/- 6 seconds.

KX0886

KX0886.The orthometric height was determined by differential leveling

KX0886.and adjusted by the National Geodetic Survey in June 1991.

KX0886

KX0886.The geoid height was determined by GEOID03.

KX0886

KX0886.The dynamic height is computed by dividing the NAVD 88

KX0886.geopotential number by the normal gravity value computed on the

KX0886.Geodetic Reference System of 1980 (GRS 80) ellipsoid at 45

KX0886.degrees latitude (g = 980.6199 gals.).

KX0886

KX0886.The modeled gravity was interpolated from observed gravity values.

KX0886

KX0886;	North	East	Units	Estimated Accuracy
KX0886;SPC PA S	- 179,060.	455,830.	MT	(+/- 180 meters Scaled)

KX0886

KX0886 SUPERSEDED SURVEY CONTROL

KX0886

KX0886	NGVD 29 (??/??/92)	249.514	(m)	818.61	(f)	ADJ UNCH	2 0
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KX0886

KX0886.Superseded values are not recommended for survey control.

KX0886.NGS no longer adjusts projects to the NAD 27 or NGVD 29 datums.

KX0886.See file dsdata.txt to determine how the superseded data were derived.

KX0886

KX0886_U.S. NATIONAL GRID SPATIAL ADDRESS: 17TPF294324(NAD 83)

KX0886_MARKER: B = BOLT

KX0886_SETTING: 36 = SET IN A MASSIVE STRUCTURE

KX0886_SP_SET: BRIDGE

KX0886_STABILITY: B = PROBABLY HOLD POSITION/ELEVATION WELL

KX0886

KX0886	HISTORY	- Date	Condition	Report By
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KX0886	HISTORY	- UNK	MONUMENTED	USGS
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KX0886	HISTORY	- 1935	GOOD	NGS
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KX0886

KX0886 STATION DESCRIPTION

KX0886

DATASHEETS

http://www.ngs.noaa.gov/cgi-bin/ds_pid.pr/1

KX0886'DESCRIBED BY NATIONAL GEODETIC SURVEY 1935
KX0886'AT MAHONING.
KX0886'AT MAHONING, ARMSTRONG COUNTY, ON THE PENNSYLVANIA RAILROAD, AT
KX0886'BRIDGE NO. 54.82, IN A STONE BLOCK ON THE EAST SIDE OF THE NORTH
KX0886'ABUTMENT, 22 FEET EAST OF THE CENTERLINE OF THE NORTHBOUND TRACK,
KX0886'AND 1.5 FEET BELOW THE TOP OF THE RAIL. A COPPER BOLT.

*** retrieval complete.
Elapsed Time = 00:00:01

Eric Hocky

From: Kevin Bowser [kbowser@gwrr.com]
Sent: Thursday, August 11, 2005 1:10 PM
To: emhocky@ggelaw.com
Subject: Fw: STB Docket No. AB-976X

Sent from my BlackBerry Wireless Handheld

-----Original Message-----

From: Frank Maida <Frank.Maida@noaa.gov>
To: Kevin Bowser <kbowser@gwrr.com>
Sent: Thu Aug 11 10:00:49 2005
Subject: STB Docket No. AB-976X

Mr. Bowser,

Thank you for the request concerning the location of our control marker. NGS has no objection to the immediate salvage of the railway materials along the portion of the subject track. Thanks also for your efforts in preserving this survey mark and I will send you, via fax, a datasheet which includes the description, position and the local measurements to assist in the mark recovery. If further information is needed please contact me via email or 301 713 3198 x 119.

EXHIBIT B



Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Bureau for Historic Preservation
Commonwealth Keystone Building, 2nd Floor
400 North Street
Harrisburg, PA 17120-0093
www.phmc.state.pa.us

July 13, 2005

Eric M. Hocky
Gollatz Griffin & Ewing
Four Penn Center, Suite 200
1600 John F. Kennedy Boulevard
Philadelphia, PA 19103-2808

Re: File No. ER 05-1618-042-D
STB: Pittsburg & Shawmut
Railroad, LLC Abandonment
Exemption, Petition of Exemption of
Abandonment, Armstrong &
Jefferson Counties

Dear Mr. Hocky:

The Bureau for Historic Preservation (the State Historic Preservation Office) has reviewed the above named project in accordance with Section 106 of the National Historic Preservation Act of 1966, as amended in 1980 and 1992, and the regulations (36 CFR Part 800) of the Advisory Council on Historic Preservation. These requirements include consideration of the project's potential effect upon both historic and archaeological resources.

Based on our survey files, which include both archaeological sites and standing structures, there are no National Register eligible or listed historic or archaeological properties in the area of this proposed project. Therefore, your responsibility for consultation with the State Historic Preservation Office for this project is complete. Should you become aware, from any source, that historic or archaeological properties are located at or near the project site, please notify the Bureau for Historic Preservation at (717) 783-8946.

Sincerely,

A handwritten signature in dark ink, appearing to read "D. McLearen".

Douglas C. McLearen, Chief
Division of Archaeology &
Protection

DCM/tmw